

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<b>TERRI PECHNER-JAMES and SONIA</b>	)	
<b>FERNANDEZ,</b>	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>C.A. No. 03-12499-MLW</b>
	)	
<b>CITY OF REVERE, THOMAS AMBROSINO,</b>	)	
<b>MAYOR, CITY OF REVERE POLICE</b>	)	
<b>DEPARTMENT, TERRENCE REARDON,</b>	)	
<b>CHIEF OF POLICE, BERNARD FOSTER,</b>	)	
<b>SALVATORE SANTORO, ROY COLANNINO,</b>	)	
<b>FREDERICK ROLAND, THOMAS DOHERTY,</b>	)	
<b>JOHN NELSON, JAMES RUSSO, MICHAEL</b>	)	
<b>MURPHY and STEVEN FORD,</b>	)	
<b>Defendants,</b>	)	

**DEFENDANT, CITY OF REVERE'S, OPPOSITION  
TO PLAINTIFFS' MOTION FOR ADMISSION OF  
MATERIAL FACTS AS SET FORTH BY PLAINTIFFS**

**NOW COMES** the Defendant, **CITY OF REVERE**, and hereby submits its opposition to Plaintiffs' motion for admission of material facts as set forth by Plaintiffs.

**I.**

**THE LOCAL RULE 7.1(A)(2) CERTIFICATION IS A SHAM  
AND THUS, THE MOTION SHOULD NOT BE CONSIDERED**

Defendant incorporates herein by reference its argument set forth in its opposition to Plaintiffs' motion to strike the Affidavit of Walter H. Porr, J.r, (Docket No. 158) as if more fully set forth below. The Local Rule 7.1(A)(2) certification is a sham and the motion should be dropped without any further consideration.

**II.**

**THE MOTION IS WITHOUT MERIT**

As part of their opposition to Plaintiffs' motion for partial summary judgment, Defendants objected to the affidavits of the Plaintiffs and their separate statements of material fact in their entirety (Docket Nos. 130-133). In particular, Docket Nos. 132 and 133 contain detailed and specific responses to the material facts asserted by the Plaintiffs. Plaintiffs' motion so grossly and misguidedly exalts form over substance that it is beyond ridiculous, beyond inane. Plaintiffs' statements of fact are so procedurally and substantively deficient that the objections, both general and specific, and the motion to strike were and are the only logical and appropriate response.

WHEREFORE, the premises being considered, the motion for admissions of material facts must be denied.

For the Defendants, CITY OF REVERE, CITY OF REVERE POLICE DEPARTMENT,  
MAYOR THOMAS AMBROSINO and POLICE CHIEF TERENCE REARDON

By their Attorneys,

/s/ Walter H. Porr, Jr.  
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Dated: April 6, 2006.

**CERTIFICATE OF SERVICE**

I, Walter H. Porr, Jr., Assistant City Solicitor and counsel of record for the Defendants, City of Revere, City of Revere Police Department, Mayor Thomas Ambrosino and Police Chief Terence Reardon, hereby certify that I have electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system. I caused to be served upon counsel of record, at the address stated below, via the method indicated, a true copy of same:

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/s/ Walter H. Porr, Jr.  
Walter H. Porr, Jr.,

Dated: April 6, 2006